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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/607,016	06/27/2003	Masahide Maeda	KIX0170-DIV	4929
7590		12/10/2003	EXAMINER	
SHAW PITTMAN LLP		NGUYEN, HA T		
1650 TYSONS BOULEVARD		ART UNIT		PAPER NUMBER
MCLEAN, VA 22102		2812		

DATE MAILED: 12/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/607,016	<b>Applicant(s)</b> MAEDA, MASAHIRO	
	<b>Examiner</b> Ha T. Nguyen	<b>Art Unit</b> 2812	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 9, 10, 15 and 16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 9, 10, 15 and 16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 6-27-3 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☒ Certified copies of the priority documents have been received in Application No. 10/116,055.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

#### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)                      4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 0603.                      6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Claim Objections***

1. Claim 16 is objected to because of the following informalities: Claim 16 recites conflicting limitations: connecting the conductive bolster to the second electrode by resistance welding and with a conductive adhesive. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claim 9 is rejected under 35 U.S.C. 102(e) as being anticipated by Ogino et al. (USPN 6236561, hereinafter "Ogino").

Referring to Figs. 1A-8C and related text, Ogino discloses a method of making a solid electrolytic capacitor which comprises a capacitor element including an element body and a conductive wire extending therefrom, and a resin package for sealing the capacitor element, the method comprising the steps of: preparing a plate-like fabrication frame 8 including a plurality of unit regions arranged in a matrix, each of the unit regions including a first and a second electrodes 8a and 8b having respective inner ends spaced from each other by a predetermined distance (see Fig. 1A); connecting an element body of a capacitor element to an upper surface of each of the first electrodes and connecting a conductive wire 7 extending from the element body to an upper surface of a corresponding one of the second electrodes via a conductive bolster 8c (see Fig. 1B); providing an intermediate article by resin-sealing the fabrication frame to enclose the capacitor elements while exposing the lower surfaces of the first electrodes and the second

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electrodes (see col. 4, lines 38-50); and dividing the intermediate article into each of the unit regions (see col. 4, lines 51-56).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103<sup>©</sup> and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

5. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ogino in view of Nakamura et al. (JP3-89509, hereinafter "Nakamura").

Ogino discloses substantially the limitations of claim 15, as shown above. But it does not disclose expressly material board having reverse surface formed with terminal surfaces electrically connected to the first and the second electrodes, respectively.

However, the missing limitation is well known in the art because Nakamura discloses this feature (see figs. 1 or 6, # 1, 26, respectively). A person of ordinary skill is motivated to modify Ogino with Nakamura to obtain a flexibility in choosing material used.

Therefore, it would have been obvious to combine Ogino with Nakamura to obtain the invention as specified in claim 15.

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6. Claims 10 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ogino or Ogino in view of Nakamura, as applied above, (and further) in view of Beck, Jr. (USPN 4488204).

Ogino or Ogino in view of Nakamura discloses substantially the limitations of claims 10 and 16, as shown above. Ogino also discloses wherein the connecting step comprises connecting the conductive bolster to the conductive wire by resistance welding, connecting the element body to the upper surface of the first electrode with a conductive adhesive (see col. 4, lines 11-38).

But it does not disclose expressly connecting a separate bolster to the upper surface of the second electrode with a conductive adhesive.

However, the missing limitation is well known in the art because Beck discloses connecting a separate bolster 20 to the upper surface of the second electrode (See Fig. 6 (b)). The combined teaching of Ogino or Ogino, Nakamura and Beck does not disclose the use of a conductive adhesive to connect the separate bolster to the upper surface of the second electrode. However it would have been obvious for a person of ordinary skill in the art to do so to simplify the connection avoiding the need for a precise controlled of temperature when welding both ends of the bolster.

A person of ordinary skill is motivated to modify Ogino or Ogino and Nakamura with Beck to obtain a flexible, and simplified connecting process.

Therefore, it would have been obvious to Ogino or Ogino and Nakamura with Beck to obtain the invention as specified in claims 10 and 16.

### ***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ha Nguyen whose telephone number is (703) 308-2706 , after Feb. 3, 2004, the new phone number will be (703) 272-1678. The examiner can normally be reached on Monday-Friday from 8:30AM to 6:00PM, except the first Friday of each bi-week. The telephone number for Wednesday is (703) 560-0528.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Neibling, can be reached on (703) 308-3325. The fax phone number for this Group is (703) 872-9306.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

A handwritten signature in black ink, appearing to read 'Ha Nguyen', with a stylized flourish at the end.

Ha Nguyen

Primary Examiner

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